

**HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.**

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CWP No. 13106 of 1993.  
Date of decision: 21.8.2013.

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Satya Pal Singh Vs. State of Haryana.

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**CORAM: HON'BLE MR. JUSTICE DR. BHARAT BHUSHAN PARSOON.**

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Present: Shri R.K.Malik, Sr.Advocate, with  
Shri Ramandeep Singh, Advocate, for the petitioner.

Shri Rajiv Kwatra, Sr. D.A.G. Haryana, for the  
respondent.

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DR. BHARAT BHUSHAN PARSOON, J (ORAL)

After issuance of charge-sheet under Rule 7 of Haryana Civil Services (Punishment and Appeal) Rules, 1987 for major penalty order (Annexure P-5) was passed wherein only minor penalty of “strictly warned to be careful in future” was imposed and a copy thereof was ordered to be placed on the A.C.R file of the delinquent.

Counsel for the petitioner has placed reliance on Dr. K.G.Tewari Vs.State of Haryana 2002(4) SLR 329, wherein it was held that “ once the chargehseet is issued under Rule 7 of the Rules 1987 for the imposition of a major penalty, which envisages holding of a regular departmental enquiry, the disciplinary authority cannot by merely examining the reply to the chargesheet, inflict even a minor punishment without holding a complete departmental enquiry”.

Learned counsel for the respondent-State of Haryana fairly conceded that the case of the petitioner is squarely covered by the case of Dr.K.G.Tewari (supra).

In view of the case law cited by learned counsel for the petitioner,

writ petition is allowed and the impugned order ( Annexure P-5) is quashed. The petitioner will be entitled to all the consequential benefits, in terms of decision in Dr. K.G.Tewari's case (supra).

21.8.2013  
**Malik**

**(Dr. Bharat Bhushan Parsoon)**  
**Judge**